

REMARKS

Claims 135 and 136 have been cancelled without prejudice or disclaimer.

Claims 140 and 143 have been amended to delete "promoting a method comprising an act of."

In Example 2, references to characters 33 and 34 have been added.

No new matter has been added. Claims 126-134 and 137-145 are currently pending for examination.

Information Disclosure Statement

The Patent Office states that copies of certain references were not present in the August 3, 2007 Information Disclosure Statement.

Copies of the missing references have been supplied herewith.

Drawings

The Patent Office states that reference characters 33 and 34 were not included in the description.

Example 2 of the specification has been corrected to properly refer to reference characters 33 and 34.

Claim Objections

The Patent Office has objected to claims 140 and 143 as reciting "promoting a method comprising an act of."

Claims 140 and 143 have been amended to address this objection. However, Applicants reserve the right to pursue claims 140 and 143 as pending prior to amendment herein, and do not concede that the claims are unclear as previously presented.

Rejections under 35 U.S.C. §102(e) in view of Hareland

Claims 126, 127, 129-132, 135-137, 140-143, and 145 have been rejected under 35 U.S.C. §102(e) as being anticipated by Hareland, *et al.*, U.S. Pat. No. 6,897,098 ("Hareland"). Claim 138

has also been rejected under 35 U.S.C. §102(e) as being anticipated by Hareland, but the Patent Office further cites Deng, *et al.*, "Salicidation process using NiSi and its device application" *J. Appl. Phys.*, 81(12):8057-8051, 1997 ("Deng") as evidence for this anticipation.

Applicants submit herewith a Declaration and accompanying Exhibits from one of the inventors under 37 C.F.R. §1.131 that establish conception and/or reduction to practice of claims 126-134 and 137-145 on or before effective date of Hareland. Thus, Applicants believe that Hareland is not applicable as a reference under 35 U.S.C. §102(e). Accordingly, it is respectfully requested that this rejection be withdrawn in view of the non-availability of Hareland.

Rejections under 35 U.S.C. §103(a) in view of Hareland and Deng

Claims 128 and 144 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hareland in view of Deng.

As discussed above, Hareland is not applicable as a reference under 35 U.S.C. §102(e). Accordingly, it is respectfully requested that this rejection be withdrawn.

Rejections under 35 U.S.C. §103(a) in view of Hareland

Claims 133 and 134 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hareland (only).

As described above, Hareland is not available as a reference. Thus, it is respectfully requested that the rejection of claims 133 and 134 be withdrawn.

Rejections under 35 U.S.C. §102(e) or §103(a) in view of Hareland and Wu

Claim 139 has been rejected under 35 U.S.C. §102(e) as anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being unpatentable as obvious over Hareland as evidenced Wu, *et al.*, "Single-crystal metallic nanowires and metal/semiconductor nanowire heterostructures," *Nature*, 430:61-65, 2004 ("Wu").

Hareland is not applicable as a reference, as discussed above. Thus, it is respectfully requested that the rejection under 35 U.S.C. §102(e) or §103(a) be withdrawn.

CONCLUSION

In view of the foregoing, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this response, that the application is not in condition for allowance, the Examiner is requested to call the undersigned at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge our Deposit Account No. 23/2825, under Order No. H0498.70217US02 from which the undersigned is authorized to draw.

Dated: *October 13, 2009*

Respectfully submitted,

By  _____

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